

**1. Requested Motion:**

**Meeting Date: Sept 20, 2010**

Approve Resolution 10-25 adopting and levying ad valorem taxes within the Town of Fort Myers Beach for the tax year 2011, in the amount of .9144 mills (\$0.9144 per \$1,000) and taking other action as authorized in such resolution.

**Why the action is necessary:**

Florida Statute requires the Town to have two hearings to adopt an operating ad valorem millage rate as part of the annual budget process. This is the second of two hearings, and Council action must be manifested through passage of a Resolution.

**What the action accomplishes:**

This complies with state law and provides a basis for adoption of a final millage rate by the Town Council.

**2. Agenda:**

☐ Consent  
☒ Administrative

**3. Requirement/Purpose:**

☒ Resolution  
☐ Ordinance  
☐ Other

**4. Submitter of Information:**

☐ Council  
☒ Town Staff  
☐ Town Attorney

**5. Background:**

At the meeting of July 12, 2010, the Town Council adopted Resolution 10-16 which set a tentative operating ad valorem millage rate at 1.000 mills for the tax year 11 for the Town of Fort Myers Beach, in compliance with the State of Florida TRIM requirements. At that time, Council set the first hearing to consider final millage rate for September 7, 2010. At that meeting the Council adopted Resolution 10-22 which adopted a tentative millage rate of .9144. This is the second of two hearings and is the hearing to consider and adopt the final millage rate.

**Attachments:** Resolution 10-25


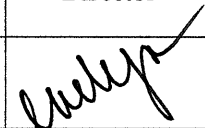
**6. Alternative Action:**

None

**7. Management Recommendations:**

Adopt the resolution establishing and adopting the final millage rate.

**8. Recommended Approval:**

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						

**9. Council Action:**

☐ Approved ☐ Denied ☐ Deferred ☐ Other

RESOLUTION OF THE TOWN COUNCIL OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 10-25

A RESOLUTION TO ESTABLISH AND LEVY AD VALOREM TAXES WITHIN THE CORPORATE LIMITS OF THE TOWN OF FORT MYERS BEACH, FLORIDA, FOR THE TAX YEAR 2010; PROVIDING FOR THE LEVY OF AD VALOREM TAXES IN THE AMOUNT OF .9144 MILS (\$.9144 PER \$1,000) BASED ON THE ASSESSED VALUE OF NON-EXEMPT REAL AND PERSONAL PROPERTY LOCATED WITHIN THE TOWN LIMITS OF THE TOWN OF FORT MYERS BEACH, FLORIDA; PROVIDING FOR THE MANNER OF ASSESSMENT AND COLLECTION; PROVIDING FOR AN ADJUSTED MILLAGE RATE; PROVIDING AN EFFECTIVE DATE

WHEREAS, The Charter of the Town of Fort Myers Beach and the applicable state laws of Florida grant to the Town Council of the Town of Fort Myers Beach the power to establish, fix and levy ad valorem taxes for the purpose of providing general funds for the operation of functions of the town, and for other purposes; and

WHEREAS, following due notice, the Town Council held the required public hearing on September 7, 2010 and, following public input, adopted a tentative Town operating ad valorem millage rate in the amount of .9144 mills for tax year 2010; and

WHEREAS, following due notice, on September 20, 2010 the Town council held the second required public hearing and voted to approve the final millage rate for tax year 2010.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Operating Ad Valorem Millage Rate for Tax Year 2011.

The Town Council does hereby establish, fix and levy ad valorem taxes for the taxable year 2010 in the amount of .9144 mills, which is \$.9144 for each \$1,000 of assessed valuation, less exemptions. The millage rate levied is less than the rolled-back rate by 1.48%, computed pursuant to Florida law and amounts to a 1.48% decrease in property taxes.

The levy of taxes provided for herein shall be based on the assessed value of all non-exempt real and personal property assessed and established pursuant to law by the Lee County Property Appraiser for the tax year 2010 and shall be collected as provided by law. When collected, taxes fixed and levied by this Resolution shall be used for all lawful purposes for the Fiscal Year beginning October 1, 2010 and ending September 30, 2011, for the Town of Fort Myers Beach, Florida.

Section 2. Adjusted Millage Rate

If the property appraiser notifies the town of an aggregate change in the assessment roll from the certified assessment roll, due to corrections of errors in the assessment roll, the millage will be adjusted by the Town Manager by issuing a certificate of adjusted millage. The adjustment shall be such that the taxes computed by applying the adopted rate against the certified taxable value are equal to the taxes computed by applying the adjusted adopted rate to the taxable value on the roll to be extended. The certificate

shall be delivered to the property appraiser not later than three days after receipt of notification of the aggregate change in the assessment roll.

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember \_\_\_\_\_ and seconded by Councilmember \_\_\_\_\_ and upon being put to a vote, the result was as follows:

DULY PASSED AND ADOPTED ON THIS 20<sup>TH</sup> DAY OF SEPTEMBER, 2010.

Larry Kiker, Mayor \_\_\_\_\_  
Tom Babcock, Councilmember \_\_\_\_\_  
Alan Mandel, Councilmember \_\_\_\_\_

Bob Raymond, Vice Mayor \_\_\_\_\_  
Jo List, Councilmember \_\_\_\_\_

ATTEST:

TOWN OF FORT MYERS BEACH

By: \_\_\_\_\_  
Michelle Mayher, Town Clerk

By: \_\_\_\_\_  
Larry Kiker, Mayor

Approved as to legal sufficiency by:

By: \_\_\_\_\_  
Fowler White Boggs, Town Attorney